

REMARKS

The above-outlined presentation of the claims and the following remarks are being submitted as a full and complete response to the Office Action dated August 18, 2009. In view of the following remarks, the Examiner is respectfully requested to proceed with examination of the application on the merits, to indicate the allowability of the claims, and to pass this case to issue.

Restriction Requirement

In response to the Examiner's restriction requirement, Applicants hereby provisionally elect the continued prosecution of the invention identified as Group I as correspondingly recited in at least claims 1-13, with traverse, wherein claims 14-24 are hereby provisionally withdrawn without prejudice or disclaimer. Applicants also respectfully submit that the inventorship of the present application is not changed upon the election set forth above.

First, Applicants will contend that, under PCT Rule 13.2, *"Where a group of inventions is claimed in one and the same international application, the requirement of unity of invention referred to in Rule 13.1 shall be fulfilled only when there is a technical relationship among those inventions involving one or more of the same or corresponding special technical features. The expression "special technical features" shall mean those technical features that define a contribution which each of the claimed inventions, considered as a whole, makes over the prior art."* In this case, Applicants will submit that both groups identified by the Examiner share several technical features that distinguish the groups together as a whole from the prior art. The technical features of the present invention recited in both the apparatus and method claims as a whole show that there are common elements that define a contribution which each of the claimed inventions (or embodiments), considered as a whole, makes over the prior art. Thus, the requirements under PCT Rule 13.1 for finding "Unity of Invention" are fulfilled, thereby obviating the necessity for the restriction requirement.

Applicant also submits that since the claims of record all recite the same subject matter of a feed water line for leading water to at least one instrument and/or to other points of use of water of the dental unit, wherein the feed water line includes a pressure chamber, which is in connection with a compressed air line, the pressure chamber being arranged in functional connection with pressure control means and upstream of the said pressure chamber is a pump, arranged to be able to pump water to and against the pressure prevailing in the said pressure

chamber, there should be no undue burden on Examiner to consider all of claims 1-24 of this application. Reconsideration and withdrawal of this restriction requirement are respectfully requested.

In the event that the Examiner maintains the restriction requirement, Applicants will contend in the alternative that the claims in this application, if withdrawn, are eligible for rejoinder. As set forth in MPEP § 821.04(b), *“Where claims directed to a product and to a process of making and/or using the product are presented in the same application, applicant may be called upon under 35 U.S.C. 121 to elect claims to either the product or a process. See MPEP § 806.05(f) and § 806.05(h). The claims to the nonelected invention will be withdrawn from further consideration under 37 CFR 1.142. See MPEP § 821 through § 821.03. However, if applicant elects a claim(s) directed to a product which is subsequently found allowable, withdrawn process claims which depend from or otherwise require all the limitations of an allowable product claim will be considered for rejoinder. All claims directed to a nonelected process invention must depend from or otherwise require all the limitations of an allowable product claim for that process invention to be rejoined. Upon rejoinder of claims directed to a previously nonelected process invention, the restriction requirement between the elected product and rejoined process(es) will be withdrawn.”*

In the present application, as noted above, the claims of record all recite the same subject matter of a feed water line for leading water to at least one instrument and/or to other points of use of water of the dental unit, wherein the feed water line includes a pressure chamber, which is in connection with a compressed air line, the pressure chamber being arranged in functional connection with pressure control means and upstream of the said pressure chamber is a pump, arranged to be able to pump water to and against the pressure prevailing in the said pressure chamber, namely the novel features of the claimed invention. Thus, in the event that the elected claims 1-13 are found allowable, Applicants submit that the provisionally withdrawn claims 14-24 are eligible for rejoinder back into the present application.

Applicants understand that all of the non-elected inventions and their corresponding claims are hereby withdrawn at least provisionally from further consideration in this application, pending the outcome of the Applicants' traversal. Applicants hereby reserve the right to file divisional applications on such non-elected inventions.

Conclusion

Favorable consideration of this application is respectfully solicited. Should there be any outstanding issues requiring discussion that would further the prosecution and allowance of the above-captioned application, the Examiner is invited to contact the Applicant's undersigned representative at the address and telephone number indicated below.

Respectfully submitted,

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